

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

SEAN DARNELL FOWLKES,
Plaintiff

v.

MICHAEL HANLON,
Defendant

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CIVIL ACTION NO. CCB-14-1270

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MEMORANDUM

Plaintiff brings this self-represented action against Assistant United States Attorney Michael Hanlon. ECF No. 1. Plaintiff appears to be indigent and his motion for leave to proceed in forma pauperis (ECF No. 2) shall be granted.

Upon review of the complaint, the court concludes that it shall be dismissed. The defense of absolute immunity extends to “officials whose special functions or constitutional status requires complete protection from suit.” *Harlow v. Fitzgerald*, 457 U.S. 800, 807 (1982). Prosecuting attorneys are quasi-judicial officers who enjoy absolute immunity when performing prosecutorial, as opposed to investigative or administrative functions. *See Imbler v. Pachtman*, 424 U.S. 409, 430-31 (1976). Absolute immunity is designed to protect *judicial process*, thus the inquiry is whether the prosecutor's actions are closely associated with judicial process. *See Burns v. Reed*, 500 U.S. 478, 492 (1991). A review of plaintiff's allegations against the prosecutor show that the acts complained of are prosecutorial in nature and associated with the judicial process. Plaintiff's lawsuit is exactly the type of action that the courts recognized as necessitating the limited doctrine of absolute immunity. In apparent disagreement with the decisions reached during his criminal proceedings, this self-represented litigant has turned to this

civil forum to assert allegations of unconstitutional acts against a federal prosecutor. Because immunity precludes plaintiff's recovery, sua sponte dismissal of plaintiff's claim is appropriate.

A separate Order shall be entered reflecting the ruling set forth herein.

May 12, 2014
Date

/s/
Catherine C. Blake
United States District Judge